



# TOWN OF HUACHUCA CITY

*The Sunset City*

500 NORTH GONZALES BOULEVARD • HUACHUCA CITY, ARIZONA 85616

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## HUACHUCA CITY TOWN COUNCIL MINUTES REGULAR MEETING AT 7:00<sup>PM</sup> THURSDAY, FEBRUARY 23, 2017

- A. The Meeting was Called to Order at 7:00 p.m. and the Pledge of Allegiance was said.
- B. Roll Call

**Present:**

**Mayor: Ken Taylor**

**Mayor Pro-Tem: Mayor Pro Tem Johnson**

**Council Members: Johann Wallace  
Christy Hirshberg  
Jane Hjeldness  
Cynthia Butterworth**

**Town Clerk/Administrator: Tammy J. Mitchell, MMC**

**Town Attorney: Thomas Benavidez**

**Absent: Council Member Welsch**

- C. Approval of Regular Minutes from the Town Council Meeting of February 9, 2017. Mayor Taylor moved to approve the regular minutes from February 9, 2017, seconded by Mayor Pro Tem Johnson. Mayor Pro Tem Johnson abstained.

**5-1 Motion Approved**

- D. Call to the Public [3 minute limit] Agenda Items Only. (See below)

**David Perry, 107 E. Apache spoke on Cox Communication.**

**E. Reports by Council Members and Officers:**

1. **Council Member Welsch - Library/Senior Center-**. No report at this time.
2. **Council Member Hjeldness – Finance –** Council Member Hjeldness explained that we have only 14 with no TPT so we are making progress. Council Member Hjeldness is working on getting the state to send out a better reports.
3. **Council Member Johann-Wallace-Planning and Zoning-** Council Member Wallace reported that the P&Z will have their next meeting on March 1<sup>st</sup>. At the March meeting we invited the WLB Group to give us an update and have the six month review going on so if anyone has a change please let us know or send them to Dr. Johnson. Dr. Johnson reported that at North Gate Mobile Home Park the General Manager was not aware of the shape it was in. He got on this right away and started removing some of the trailers this is being done by Moon glow Company. Also, at 213 Fairbanks the vacant house is being ransacked and trashed. The owners are coming to clean it up and board it up.
4. **Council Member Butterworth –Public Safety –**Council Member Butterworth reported that as of 02/19/2017 the Police responded to 448 calls for service, 212 traffic stops, issued 56 warning and equipment repair order with 86 separate violations, issued 144 separate charges on 108 ticks and processed 19 arrests. The Animal Control responded to 25 calls for service. The Fire Department responded to 60 EMT calls and 11 fire calls. Dispatch cleared 39 calls, answered 1147 calls and greeted 485 visitors. Chief Allmon said ADEQ has sent the information for burn permits; this should be on the next agenda. We have painted four offices in one week so he will get with Clerk Mitchell to see where to go next. Council member Butterwort asked if the fire truck with electrical problems fixed. Chief Allmon said the fire truck is up and running. This weekend Fry Fire will be doing ambulance training for us in order to drive the ambulance. Chief Allmon said that the new fire truck will be in hopefully in April or May.
5. **Council Member Hirshberg-Parks and Recreation-** Council Member Hirshberg said that we had our Ice Cream Social and it was chilly but went really well. Some events we have coming up is our Chili Cook-off Contest along with the Bike Rodeo on April 22, 2017. P & R is starting planning on a City Wide Yard Sale. Save the date April 13, 2017, we have the Circus coming to town; there will be a 5:00 and a 7:30 p.m. showing.
6. **Mayor Pro Tem Johnson - Public Works (PW) –.**Mayor Pro Tem Johnson stated that when she talked with Supervisor Brown at the land fill he said things were going well. The Public Works Department has been doing all their water and ground water testing. Mayor Pro Tem Johnson conveyed that Supervisor Halterman is trying a new chemical to break up sludge at the sewer pounds since we have no grinder.
7. **Mayor - Mayor Taylor-**Mayor Taylor said thank you to a few employees like Chief Allmon going above and beyond his normal jobs. Mayor Taylor also thanked Chief Thies and Dr. Johnson.
8. **Town Clerk/Administrator Report-** Clerk Mitchell reported that her office was one painted and it looks great. Also the Burn Permit will have to be passed with a Resolution.

**F. Unfinished Business:**

**G. New Business:**

1. **Discussion and/or action (Mayor Taylor):** Request by Mike Estrada, for waiver of fees and use of Keeline Field for Little League Baseball. **Motion** made by Mayor Taylor to open this item **seconded** by Council Member Hirshberg. After some discussion they decided to waive the fees. Mayor Taylor moved, **seconded** by Mayor Pro Tem Johnson to waive all the fees for the Little League diamonds at Keeline Park.

**6-0 Motion carried**

2. **Discussion and/or Action [Mayor Taylor]:** Consideration of Proposal from the City of Bisbee to acquire Camp Newel/Naco from Huachuca City. This item was pulled until further notice.
3. **Discussion and/or Action [Clerk Mitchell]:** Consideration of a proposal from Empire/Caterpillar for the purchase of the Landfill Compactor. **Motion** made by *Mayor Taylor* to open for discussion and/or action, **seconded** by *Mayor Pro Tem Johnson*. After a discussion the council decides not to sell the equipment at this time. **Motion** made by Mayor Taylor, **seconded** by Mayor Pro Tem Johnson to respectfully decline the offer to sell the Land fill compacter.

**6-0 motion carried**

4. **Discussion and/or Action [Clerk Mitchell]:** Ordering Fireworks for the 4<sup>th</sup> of July with the Budget of \$8,000. **Motion** made by Mayor Taylor to open this item **seconded** by Mayor Pro Tem Johnson. **Motion** made by Mayor Taylor, **seconded** by Council Member Hirshberg to purchase Fireworks for the 4<sup>th</sup> of July in the amount of \$8,000.

**6-0 motion carried**

5. **Discussion and /or Action [Mayor Taylor]:** Consideration of Cox Communications' request to be released from its license agreement with the Town, and desire to discontinue providing cable television services to its customers in the Town. The Council might direct staff to schedule a public hearing on this matter for a future date. **Motion** made by *Mayor Taylor* to open for discussion and/or action, **seconded** by *Council Member J. Wallace*.

Mayor Taylor and Clerk Mitchell had met with Lisa Lovallo, Market Vice President for Southern Arizona, Cox Communications. Ms. Lovallo conveyed that: *Our cable plant is very old and the quality of the video product we sell is very poor. We only have approximately 50 customers and that number is dwindling every year. We have never offered internet/broadband service to Huachuca City and have no plans to do so. While we have tried to find ways to do this over the years, we have exhausted every option available to us. COX has provided the Mayor with a list of contacts in the wireless sector, and we encourage the town to talk with those companies to investigate small cell technology. The City's attorney and our attorney have discussed our exit resolution and right of way agreement. We would like to bring this to the council for a vote on 3/23. We have been advised by the Mayor that the town would like to "notice" its citizens about this change. While this is not a requirement of the State statue, this extra transparency is a positive thing we also support. We*

would ask that the notice take place immediately so we are able to move forward with a Council resolution on 3/23. The cable plant; there have been discussions about the City's interest in acquiring our plant. While we would strongly advise against this, we are happy to discuss the plant assets with you in great detail, once we have secured our exit resolution and right of way agreement. The Huachuca City COX customers; we will transition them to another video provider and will be offering each customer a high value gift card to help those customers with this process. We will provide customers with 60 and 30 day notice so they have ample time to switch to a new provider. Also, Rachael Aaha spoke on behalf of Cox Communications and scheduling a public hearing. Attached to the Minutes is a letter from Lisa Lovallo/Exhibit 1.

Motion was made by Mayor Taylor, seconded by Mayor Pro Tem Johnson to direct staff to schedule a Public Hearing for March.

**6-0 motion carried**

A ten minute break was taken at 7:54 p.m. to 8:04 p.m.

6. **Discussion and/or Action [Mayor Taylor]:** Executive [closed] session, pursuant to A.R.S. 38-431.03 (A) (3) and (4), for consultation with the Town Attorney regarding the Dusk Till Dawn property and the property owner's administrative takings appeal hearing. Motion was made by Mayor Taylor, seconded by Council Member J. Wallace to move into Executive Session at 8:05 p.m.

**6-0 motion carried**

Motion was made by Mayor Taylor to go into open session, seconded by Mayor Pro Tem Johnson moved into open session at 8:21 p.m.

**6-0 motion carried**

**H. Payment Approval Report in the amount of \$92,239.92**

**Motion** made by Mayor Taylor to open for discussion and/or action, **seconded** by Council Member Hirshberg.

**Motion** made by Mayor Taylor to approve the payment of \$92,239.92, **seconded** by Council Member Hjeldness.

**6-0 Motion Carried**

- I. **Call to the Public: [3 min. limit] ARS38-431-01** Public body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the public body. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.

- J. **Discussion and/or Action [Town Clerk]:** Items to be placed on the next agenda. Cox Cable. Burn Permit.

**K. Adjournment: 8:29p.m.**

**Motion made by Mayor Taylor to adjourn, seconded by Mayor Pro Tem Johnson.  
6-0 motion Carried**

Approved by Mayor Taylor on February 23, 2017



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Mayor, Kenneth Taylor

Attest:

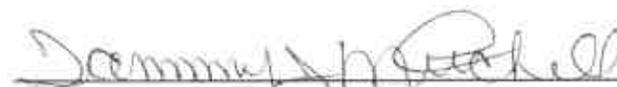


Town Clerk Tammy J. Mitchell, MMC

Seal:

**Certification**

I hereby certify that the foregoing is a true and correct copy of the Minutes of the Meeting for the Town of Huachuca City held on March 9, 2017. I further certify that the meeting was duly called, and a quorum was present.



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Tammy J. Mitchell, MMC, Town Clerk/Administrator